UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY: DEPUTY

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| **UNITED STATES OF AMERICA,** | ) | Magistrate Case No. |
| Plaintiff, | ) | |
| | ) | COMPLAINT FOR VIOLATION OF: |
| v. | ) | |
| | ) | Title 8, U.S.C., Sec. 1325 |
| **Ernesto TRUJILLO-Caballero,** | ) | Illegal Entry (Misdemeanor) |
| | ) | |
| | ) | '08 MJ 2177 |
| Defendant | ) | |

The undersigned complainant, being duly sworn, states:

That on or about **July 15, 2008,** within the Southern District of California, defendant, **Ernesto TRUJILLO-Caballero,** an alien, did knowingly and willfully enter the United States at a time and place other than as designated by Immigration Officers, and eluded examination and inspection by Immigration Officers, a misdemeanor; in violation of Title 8, United States Code, Section 1325.

SIGNATURE OF COMPLAINANT
James Trombley

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE THIS **16TH** DAY OF **JULY, 2008.**

Cathy A. Bencivengo
UNITED STATES MAGISTRATE JUDGE

**CONTINUATION RE:**
**Ernesto TRUJILLO-Caballero**

## PROBABLE CAUSE STATEMENT

On July 15, 2008, at approximately 9:10 AM, Border Patrol Agent H. Ayala was conducting line watch operations in an area known as "Airport Mesa." This area is approximately two miles east of the San Ysidro, California Port of Entry and is fifteen yards north of the United States / Mexico International Boundary.

While conducting line watch operations, Border Patrol Agent Ayala observed two individuals jump over the United States / Mexico International Primary Border Fence and run north towards the secondary Border fence. A Remote Video Surveillance System operator, (RVSS) noticed that a third subject was holding a ladder and had hung it on top of the secondary fence pulling the concertina wire down. Two of the suspected undocumented aliens, including one later identified as the defendant **Ernesto TRUJILLO-Caballero**, climbed over the concertina wire and ran north.

Agent Ayala notified RVSS, and RVSS informed him that two suspected undocumented aliens (including CRUZ-Medina) had crossed the secondary fence and were running north. Agent Ayala responded and with the assistance of RVSS, was able to locate the two individuals. Agent Ayala identified himself as a Border Patrol Agent then he conducted an immigration inspection. TRUJILLO admitted to being a citizen and national of Mexico not in possession of any immigration documentation that would allow him to enter or remain in the United States legally. TRUJILLO was arrested and was transported to the Imperial Beach Border Patrol Station for processing.